

GUTRIDE SAFIER LLP

SETH A. SAFIER (State Bar No. 197427)

seth@gutridesafier.com

MARIE A. MCCRARY (State Bar No. 262670)

marie@gutridesafier.com

RAJIV V. THAIRANI (State Bar No. 344390)

rajiv@gutridesafier.com

100 Pine Street, Suite 1250

San Francisco, CA 94111

Telephone: (415) 639-9090

Facsimile: (415) 449-6469

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CHRISTOPHER MCKAY, TERRY MYERS,
and DAWN OUTLAW, as individuals, on
behalf of themselves, the general public, and
those similarly situated,

Plaintiffs,

v.

SAZERAC COMPANY, INC.,

Defendant.

Case No.: 23-cv-00522-EMC

Hon. Edward M. Chen

DECLARATION OF DAWN OUTLAW

1 I, Dawn Outlaw, hereby declare as follows:

2 1. I have personal knowledge of the facts stated herein and, if called upon to testify, I could
3 and would competently do so.

4 2. I purchased Fireball Malt from Chevron gas stations in Redding, California and Valero
5 gas stations in Pacheco, California between January 11, 2021 and the present. Prior to making the
6 purchases, I was generally familiar with the label of Fireball Whisky.

7 3. I made my purchases in reliance on the Fireball Malt label. Based on the labeling of the
8 bottles, I falsely believed that I was purchasing a full single serving of Fireball Whisky, when I was
9 instead purchasing a one-sixth serving of Fireball Malt. Because I believed that the products I purchased
10 were Fireball Whisky, I believed that they had the attributes of Fireball Whisky. That is, I incorrectly
11 believed that the Fireball Malt that I purchased was whisky-based and had the alcohol content of a single
12 serving of whisky.

13 4. I would not have purchased Fireball Malt, or at a minimum, would have paid less for
14 Fireball Malt had I known that it was a malt-based beverage with half the alcohol content of Fireball
15 Whisky.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is true
17 and correct.

18 DATED: 5/15/2024

19 DocuSigned by:
20 *Dawn Outlaw*
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22 Dawn Outlaw
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